REMARKS

Claims 1 – 24 are pending. The Applicant's attorney has amended claims 1, 5, and 14-20 and has added new claims 21-24. But the amendments to claims 19-20 do not narrow these claims. As discussed below, the claims are in condition for allowance.

But if after considering this response the Examiner continues to reject some or all of the claims, the Applicants' attorney, Bryan Santarelli, requests that the Examiner phone him at the below number to schedule a phone interview.

Objection To The Disclosure

The Applicant's attorney encloses marked-up and accepted versions of a Substitute Specification, in which the paragraph numbers have been converted to 4-digit numbers, and in which other minor errors have been corrected. But the Substitute Specification includes no new matter.

Rejection of Claims 1-4 and 14 Under 35 U.S.C. § 102(b) As Being Anticipated By U.S. Patent 5,943,347 To Shepard

As discussed below, the Applicants' attorney respectfully disagrees with this rejection in view of the amendments to claims 1 and 14.

Claim 1

Claim 1 as amended recites a processor operable to perform a checksum operation on a received data packet, and, if the checksum operation indicates that the data packet contains an error, then the processor is operable to change the received data packet to include an error indicator.

For example, referring, *e.g.,* to FIG. 3 and paragraphs [0020] – [0022] of the patent application, MAC 331 performs a checksum operation on a data packet received from or via the computer network 315. If the checksum operation indicates that the received data packet contains an error (*e.g.,* one or more erroneous bits), then the MAC 331 changes each bit of the checksum field 110 (FIG. 1) of the packet header to a logic 1. The all-logic-1 checksum field 110 indicates to the CPU 321 that the received data packet contains an error; consequently, if the CPU detects an alllogic-1 checksum field, it discards the erroneous received data packet.

In contrast, Shepard does not disclose changing a received data packet to include an error indicator. Referring, *e.g.*, to Shepard's FIG. 2-3 and columns 3-4, Shepard includes in the header of each audio data packet the fundamental pitch period of the audio-signal portion represented by the audio data in the packet. If a received audio data packet is found to have erroneous data, then Shepard uses the pitch period in the header of the previous data packet to correct the erroneous data in the current packet. But although Shepard changes the current data packet if an error is detected, he does not change the current data packet to include an error indicator. That is, the changed data packet includes corrected data, but includes nothing to indicate that the data packet included an error prior to being corrected.

Claims 2-4

These claims are patentable by virtue of their dependencies from claim 1.

Claim 14

Claim 14 as amended recites generating a checksum from a data packet, and adding an error indicator to the data packet if the checksum indicates that the data packet has an error.

In contrast, as discussed above in support of the patentability of claim 1, if an audio-data packet is found to have an error, Shepard corrects the error, but does not add an error indicator to the data packet.

Claim 21

New claim 21 is a method counterpart to allowable claim 5.

Claim 22

New claim 22 recites a processor operable to perform a checksum operation on a received data packet, and, if the checksum operation indicates that the data packet contains no error, to then modify the received data packet.

For example, referring, *e.g.,* to FIG. 3 and paragraphs [0020] – [0022] of the patent application, MAC 331 performs a checksum operation on a data packet received from or via the computer network 315. If the checksum operation indicates that the received data packet contains no error, then the MAC 331 changes each bit of the checksum field 110 (FIG. 1) of the packet header to a logic 0. The all-logic-0 checksum field 110 indicates to the CPU 321 that the received data packet contains no error; consequently, if the CPU detects an all-logic-0 checksum field, it processes the received data packet.

In contrast, Shepard does not disclose modifying a received data packet if the data packet contains no error. Referring, *e.g.*, to Shepard's FIG. 2-3 and columns 3-4, if Shepard finds no error in an audio-data packet, then he makes no modifications to the packet.

Claim 23

This new claim is a method counterpart to claim 22.

Claim 24

This new claim is patentable by virtue of its dependency from claim 23.

CONCLUSION

In light of the foregoing and in addition to the allowed claims 8-13, claims 2-4 and 6-7 as previously pending, claims 1, 5, and 14-20 as amended, and new claims 21-24 are in condition for allowance, and that action is respectfully requested.

In the event additional fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 50-1078.

DATED this 10th day of August, 2006.

Respectfully submitted,

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